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EXAMINER

AUGUSTINE, NICHOLAS

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2179

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/689,687	Applicant(s) ORDING ET AL.	
	Examiner NICHOLAS AUGUSTINE	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/09/07</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- A. This action is in response to the following communications: Request for Continued Examination filed 11/07/2007. This action is made **Non-Final**.
- B. Claims 1-75 remains pending.
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Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/07/2007 has been entered.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to

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be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-64 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-10, 13-15, 17-20, 22-25, 28-33, 36-58, 60-65 and 67-69 of copending Application No.101465,855, herein after "855". Although the conflicting claims are not identical, they are not patentably distinct from each other because the instant application is a narrower version of the limitations in ('855).

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

4. Claim 1 of the instant application corresponds to claims 1 and 2 of ('855). Both are directed to repositioning all open windows in a group of windows to appear in a respective area of a display without overlap while maintaining the relative sizes and configurations of the windows.

5. Claim 30 of the instant application corresponds to claims 37 of ('855). Both are directed to repositioning all open windows in a group of windows to appear in a respective area of a display without overlap while maintaining the relative sizes and configurations of the windows.

6. Claim 44 of the instant application corresponds to claim 53 and 54 of ('855). Both are directed to repositioning all open windows in a group of windows to appear in a respective area of a display without overlap.

7. Claims 2, 3, 4, 5, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 37, 39, 40, 42, 43, 46, 47, 48, 49, 50, 51 and 52 of the instant application correspond to claims 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 17, 18, 19, 20, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 36, 38, 39, 40, 42, 43, 48, 49, 51, 52, 55, 56, 57, 58, 60 and 61 of ('855) respectively.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-19, 23-55, 61 and 65-75 are rejected under 35 U.S.C. 102(b) as being anticipated by DeStefano, George (US Patent 6,075,531), herein referred to as “DeStefano”.

As claim 1, DeStefano teaches a method of providing an alternative view of a group of open windows on a display for a graphical user interface (figure 10), comprising the

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steps of: in response to a command to present the alternative view (col.6, lines 55-64), repositioning all open windows of said group so that they appear in a respective area of the display without overlap (col.7, lines 6-15) while maintaining the relative sizes and configurations of the windows in said group (figures 20-21; col.17, lines 25-52); and subsequently returning the windows to their original positions in response to a user action (col.7, lines 6-15).

As claim 2, DeStefano further teaches user action is selection of one of the windows (col. 17, lines 38-39).

As claim 3, DeStefano further teaches user action is issuance of a second command (col. 17, lines 18-24 and 45-52).

As claim 4, DeStefano further teaches including the step of resizing the windows so that all of the windows of said group appear within a defined boundary area of the display in the alternative view (col. 18, lines 33-45).

As claim 6, DeStefano further teaches group comprises all open primary windows on the display (fig. 20).

As claim 7, DeStefano further teaches including the step of repositioning a subset of all open windows, which are related to one another (figures 20-21), in response to a second command to present a second alternative view (col. 17, lines 5-9).

As claim 8, DeStefano further teaches related windows are associated with a common application program (col.4, lines 5-43)

As claim 9, DeStefano further teaches the step of moving all windows out of the area of said display in response to a third command to present a third alternative view (col.17, lines 40-42).

As claim 10, DeStefano further teaches including the step of moving all windows out of the area of said display in response to a second command to present a second alternative view (col.17, lines 40-42).

As claim 11, DeStefano further teaches group comprises a subset of all open windows on the display, which are related to one another (col.4, lines 5-43).

As claim 12, DeStefano further teaches related windows are associated with a common application program (col.4, lines 5-43).

As claim 13, DeStefano further teaches including the step of repositioning and displaying a different subset of windows that are associated with a different application program (col.4, lines 5-43; wherein disclosed a method for use of multiple windows for multiple times as user desires), in response to a predetermined command issued while in the alternative view (fig.20).

As claim 15, DeStefano further teaches windows are repositioned in a manner to maintain their relative positions (figures 20-21 and col.17, lines 25-52).

As claim 16, DeStefano further teaches repositioning step includes the steps of: establishing a vector that indicates the relative positions of two overlapping windows, and determining directions of movement for said overlapping windows in accordance with said vector (figure 8, routine 160; col.11, lines 41-50).

As claim 17, DeStefano further teaches windows are repositioned in an iterative manner, with a direction and amount of movement determined during each iteration (col.17, lines 38-52 and fig.12).

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As claim 18, DeStefano further teaches each iteration comprises the following steps: determining a direction and amount of movement for each window to be repositioned (col. 17, lines 38-52); scaling the movement amounts by a moderating factor (col. 17, lines 38-67); and moving the windows by the scaled amounts (col. 14, lines 33-37).

As claim 19, DeStefano further teaches the moderating factor is varied for respective iterations (col. 17, lines 38-67).

As claim 23, DeStefano further teaches command is initiated by user action (col.17, lines 38-52).

As claim 24, DeStefano further teaches user action is actuation of a physical element of a computer system (col. 17, lines 38-52 (mouse interaction)).

As claim 25, DeStefano teaches user action is positioning of a cursor in a predetermined area of the display (figures 12,20-21; col.17, lines 38-67).

As claim 26, DeStefano teaches area is a predetermined corner of the display (col.17, lines 1-9; different origins can be used to predetermine window layouts).

As claim 27, DeStefano further teaches command is issued by a program (col.6, lines 1-38).

As claim 28, DeStefano further teaches program issues the command in response to detection of a specified condition (col.6, lines 43-54).

As claim 29, DeStefano further teaches repositioning step comprises moving said windows from their original positions to said respective areas over a discernable period of time to create an animation effect (col.7, lines 40-46).

As claim 30, DeStefano teaches a computer system, comprising: a display device (fig.1); a graphical user interface that normally displays a plurality of objects in a layered view in which an object can overlap and obscure at least a portion of another object (fig.10); means responsive to a command for repositioning said plurality of objects in an alternative viewing mode (col.17, lines 38-52) such that said objects appear in respective areas of the display device with the same relative sizes and configurations as in the layered view (col.17, lines 1-10), but without overlapping any other objects of said plurality (fig.20-21); and means responsive to a subsequent command for returning said objects to their original positions in said layered view (col.7, lines 10-22, col.17, lines 1-10, 38-67).

As claim 31, DeStefano further teaches repositioning means comprises a component of an operating system program for said computer system (col. 5, lines 7-19).

As claim 32, DeStefano further teaches repositioning means is contained in an application program that executes on said computer system (col. 6, lines 1-16).

As claim 33, DeStefano further teaches repositioning means is contained in a plug-in module that cooperates with an operating system for said computer system (col. 5, lines 7-19 and col.6, lines 1-16).

As claim 34, DeStefano further teaches objects comprise windows (fig.10).

As claim 35, DeStefano teaches a graphical user interface for a computer having a first mode in which plural objects are displayed in a layered environment in positions in which an object can overlap (fig.10) and obscure at least some of the contents of another object (fig.10), and a second mode in which said plural objects are concurrently moved from their positions in said first mode to respective areas within a display (col. 17, lines 38-52; fig.20,21) such that the content of each of

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said plural objects is visible without overlap (fig.21), while maintaining the relative sizes and configurations of said plural objects (col. 17, lines 25-52), and subsequently returned to the position they occupied in said first mode view (col.7, lines 10-22, col.17, lines 1-10, 38-67).

As claim 36, DeStefano further teaches objects comprise windows (fig.10).

As claim 37, DeStefano further teaches objects comprise a combination of windows and other user interface elements (col.4, lines 25-44).

As claim 38 , DeStefano teaches a computer-readable medium (col.5, line 60) containing a program providing an alternative view for a computer user interface of the type that presents a normal viewing mode in which plural objects are displayed in a layered environment in positions in which an object can overlap and obscure at least some of the contents of another object (fig.10), wherein said program causes said plural objects to move concurrently from their positions in said normal viewing mode to respective areas within a display such that the content of each of said plural objects is visible without overlap in said alternative viewing mode col. 17, lines 38-52; fig.20,21, while maintaining the relative

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sizes and configurations of said plural objects (fig.20-21), and then return to their positions in the normal viewing mode (col.7, lines 10-22, col.17, lines 1-10, 38-67).

As claim 39, DeStefano further teaches objects comprise windows (fig.10).

As claim 40, DeStefano further teaches objects comprise a combination of windows and other user interface elements (col.4, lines 25-44).

As claim 41 , DeStefano teaches a computer-readable medium (col.5, line 60) containing a computer program (col.6, lines 1-16) that is responsive to a predetermined command to execute a sequence of steps that animate a plurality of overlap objects on a display to concurrently move to respective areas of the display over a discernable period of time such that the content of each of said objects is visible without overlap of any of said objects at the end of said period (col.17, lines 1-10, 25-67), and responsive to a subsequent command to return the objects to their overlapping position (col.7, lines 10-22, col.17, lines 1-10, 38-67);

As claim 42, DeStefano further teaches objects comprise windows (fig.10).

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As claim 43, DeStefano further teaches objects comprise a combination of windows and other user interface elements (col.4, lines 25-44).

As claim 44, DeStefano teaches a method of providing an alternative view of a plurality of overlapping objects on a display for a graphical user interface (fig.10), comprising the steps of: in response to a command to present the alternative view, displaying an animation of the objects concurrently, moving to respective positions on the display so that they appear without overlap; and returning the objects to their original positions in response to a user action (note the analysis of claim 41).

As claim 45, DeStefano further teaches the relative sizes of said objects are maintained during said movement and while they are located at said respective positions (fig.20-21, col.17, lines 25-67).

As claim 46, DeStefano further teaches user action is selection of one of the objects (col.6, lines 42-53).

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As claim 47, DeStefano further teaches user action is issuance of a second command (col. 17, lines 38-52).

As claim 48, DeStefano further teaches including the step of resizing the objects so that all of the displayed objects appear within a defined boundary area of the display in the alternative view (col. 17, lines 1-10, 38-67).

As claim 50, DeStefano further teaches objects include icons (col.4, lines 25-44).

As claim 51, DeStefano further teaches objects include images (col.4, lines 25-44).

As claim 52, DeStefano further teaches objects are repositioned in a manner to maintain their relative positions (col. 17, lines 1-10, 38-67; col.18, lines 41-45).

As claim 53 , DeStefano teaches a method of displaying windows in a user interface for a computer, comprising the steps of: displaying windows in a layered view where at least one window can overlay another window and obscure at least a portion of the contents of said other window (fig.10); switching to an un-layered view in response to a first command (col. 17, lines 38-57), wherein a

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predetermined set of a plurality of said windows (fig. 20-21) are concurrently repositioned so that they are displayed without overlap (col. 17, lines 25-52) while maintaining their relative sizes and configurations (col. 18, lines 1-40); and returning to said layered view in response to a second command (col.7, lines 10-22, col.17, lines 1-10, 38-67).

As claim 54, DeStefano further teaches set of windows comprises all open windows being displayed (fig. 20).

As claim 55, DeStefano further teaches set consists of all open windows associated with one application program (col.4, lines 1-44).

As claims 5, 49 and 67, DeStefano further teaches all of the repositioned windows are resized according to a common factor to maintain their relative sizes and aspect ratios (col.7, lines 10-22, col.17, lines 1-10, 38-67), that natural dimensions for a window, which are preferred sizes for the window's height and width (fig.20-21).

As claims 14 and 72, DeStefano further teaches including the steps of:

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detecting a user action indicating selection of one of said repositioned Windows, in the alternative view; and displaying the selected window in the foreground of the display (being of the known focus-transferring style by which a selected window is moved to have topmost priority for further use) upon returning the windows to their original positions (col.13, lines 31-67 and col.14, lines 1-6).

As claim 61, DeStefano teaches a method for displaying windows in a graphical user interface for a computer, comprising the steps of: displaying a plurality of windows that are respectively associated with different applications running on the computer; in response to a command to present an alternative view (col.7, lines 10-22, col.17, lines 1-10, 38-67, repositioning those windows associated with one of said applications so that they appear in a respective area of the display without overlap in the foreground of the display (fig.20; col.17, lines 1-25, 52-67); and subsequently returning the windows to their original positions in response to a user action (col.7, lines 10-22, col.17, lines 1-10, 38-67).

As claim 65, DeStefano teaches a method of providing an alternative view of a plurality of objects on a display for a user interface, comprising the steps of: in response to a command to present the alternative view (col.17, lines 38-52) repositioning said plurality of objects so that they, appear in respective areas of the display without overlap while maintaining the relative sizes and configurations of the

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objects in said group (col.17, lines 25-52; fig.21)and subsequently returning the objects to their original positions in response to a user action (col.7, lines 10-22, col.17, lines 1-10, 38-67).

As claim 66, DeStefano further teaches resizing the objects so that they are all visible within a defined boundary area of the display in the alternative view (fig.21).

As claim 68 , DeStefano further teaches the objects comprise windows (fig.10).

As claim 69, DeStefano further teaches of objects comprises a subset of all open windows on the display, which are related to one another (col.4, lines 25-44).

As claim 70 , DeStefano further teaches the related windows are associated with a common application program (col.4, lines 25-44).

As claim 72 , DeStefano further teaches the objects are repositioned in a manner to maintain their relative positions (col.7, lines 10-22, col.17, lines 1-10, 38-67).

As claim 73 , DeStefano further teaches the objects move from their original positions to said respective areas over a discernable period of time to create an animation effect (col.17, lines 1-10, 38-67)

As claim 74 , DeStefano further teaches the objects include icons (col.4, lines 25-44).

As claim 75 , DeStefano further teaches the objects include images (col. 47, lines 25-44).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeStefano in view of Brooks (US Patent 6,008,809).

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As claim 20, DeStefano does not clearly teach computing an external force factor to maintain the windows within a boundary area, and adding said force factor to the movement amounts. However, Brooks teaches computing an external force factor to maintain the windows within a boundary area, and adding said force factor to the movement amounts (col. 6, lines 1-9; col. 9, lines 59-67 and col. 10, lines 1-4).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by computing an external force factor to maintain the windows within a boundary area, and adding said force factor to the movement amounts as taught by Brooks in order to ensure the windows are not allowed to crossover a boundary or exceed the limits of the display screen during a user or program controlled movement and maintaining the windows in the display area (col.2, lines 11-33).

As claim 21, DeStefano does not clearly teach determining whether the windows lie outside of a defined boundary area after the last iteration, and resizing the windows to fit within said boundary area if they lie outside of the boundary area.

However, Brooks teaches determining whether the windows lie outside of a defined boundary area after the last iteration, and resizing the windows to fit within said boundary area if they lie outside of the boundary area (col. 1, lines 36-49).

Therefore, it would have been Obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by determining whether the windows lie

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outside of a defined boundary area after the last iteration, and resizing the windows to fit within said boundary area if they lie outside of the boundary area as taught by Brooks in order to ensure the windows that have exceeded the boundary of the display screen during a user or program controlled movement are repositioned in the designated display area to allow the contents of the entire window to be viewed.

As claim 22, DeStefano does clearly not teach adding a border region to each window being repositioned, and repositioning the windows such that the border regions of the windows do not overlap.

However, Brooks teaches adding a border region to each window being repositioned (col.2, lines 11-33), and repositioning the windows such that the border regions of the windows do not overlap (col.2, lines 11-33; col. 10, lines 39-41).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by adding a border region to each window being repositioned, and repositioning the windows such that the border regions of the windows do not overlap as taught by Brooks in order to provide a single layer display ensuring none of the windows are obscured by placing borders around the windows ensuring no overlap so all windows can be displayed in a single layer (tiled) view, enhancing the onscreen display of all windows enabling the user to view data from all windows enhancing the windows working environment by allowing the user to view all

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available data without having to manipulate the windows that are in the obscured or overlapped view (col. 2, lines 38-40 and 45-48).

12. Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeStefano in view of Duperrouzel et al. (US Patent 6,832,355), hereinafter "Duperrouzel".

As claim 56, DeStefano does not clearly teach the step of dragging an object from one of the windows in said set to another of the windows in said set while said unlayered view is being displayed. However, Duperrouzel teaches the step of dragging an object from one of the windows in said set to another of the windows in said set while said unlayered view is being displayed (fig. 2, label 212a, 212b, 212c and 212d; col. 4, lines 58-60 and col. 11, lines 32-34). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by dragging an object from one of the windows in said set to another of the windows in said set while said unlayered view is being displayed as taught by Duperrouzel in order to enhance productivity by reducing the amount of time that a windows user requires to manage or transfer data between windows by selectively using the powerful tool/method of drag and drop for moving the data between two specific windows while maintaining control and specific placement of the item in the designated window with ease (col. 11, lines 24-37).

13. Claims 57-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over ' DeStefano in view of Bronson (US Patent 5,305,435).

As claim 57, DeStefano teaches a method for facilitating interactivity between objects appearing on a desktop and in windows of a computer user interface, comprising the steps of: displaying one or more windows in a normal view such that the windows can obscure a user's view of objects on the desktop, of the user interface (col.17, lines 38-52). DeStefano does not clearly teach temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows. However, Bronson teaches temporarily removing the windows from their obscuring positions in response to a first user command (col. 7, lines 17-19); selecting at least one of said desktop objects while the windows are removed (col. 9, lines 10 -20) returning the windows to their original positions in response to a second command from the user (col. 7, lines 56-66), while maintaining the selection of said desktop object-and placing the selected object in one of said windows (col. 7, lines 56-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows from their obscuring positions in response to a first user command; selecting at least one of said desktop objects while the windows are removed returning the windows to their

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original positions in response to a second command from the user, while maintaining the selection of said desktop object-and placing the selected object in one of said windows as taught by Bronson in order to leave the central screen area clear of non-active windows by removing the windows in an obscuring position and moving them to a virtual or non-visible area leaving the central screen area for displaying windows with an active display status, so the user able to select a window, maintain control by dragging the window onto the display and placing the window on the desktop, giving the extra benefit of controlling the windows working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22).

As claim 58, DeStefano does not clearly teach temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area. However, Bronson teaches temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area (fig. 7, label 38), and moving the windows to positions within said border area (col. 3, lines 43-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows comprises the steps of displaying a border area along at least one edge of the desktop area, and moving the windows to positions within said border area as taught by Bronson

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in order to leave the central screen area clear of non-active windows and to reserve the central screen area for displaying windows with an active display status and place the non-active windows in the border area, so to provide the user with a working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22).

As claim 59, DeStefano does not clearly teach returning the windows is initiated by dragging the selected desktop object to said border area.

However, Bronson teaches returning the windows is initiated by dragging the selected desktop object to said border area (col. 3, lines 43-50).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by returning the windows is initiated by dragging the selected desktop object to said border area as taught by Bronson in order to give the user the ability to selectively clear the central screen area of non-active windows to provide the user with a working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22).

As claim 60, DeStefano clearly teaches a method for facilitating interactivity between objects appearing on a desktop and in windows of a computer user interface,

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comprising the steps of: displaying one or more windows in a normal view such that the windows can obscure a user's view of objects on the desktop of the user interface (col.17, lines 1-10, 38-67 and col.18,lines 40-45) DeStefano does not teach selecting an object in a window; temporarily removing the windows from their obscuring positions in response to a first user command, while maintaining the selection of the object; placing the selected object on the desktop or a desktop object while the windows are removed; and returning the windows to their original positions in response to a second command from the user. However, Bronson teaches selecting an object in a window (col. 9, lines 10 - 20); temporarily removing the windows from their obscuring positions in response to first user command (col. 7, lines 17-19), while maintaining the selection of the object; placing the selected object on the desktop or a desktop object while the windows are removed (col. 7, lines 56-59); and returning the windows to their original positions in response to a second command from the user (col. 7,lines 56-66). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by temporarily removing the windows from their obscuring positions in response to a first user command, while maintaining the selection of the object; placing the selected object on the desktop or a desktop object while the windows are removed; and returning the windows to their original positions in response to a second command from the user as taught by Bronson in order to leave the central screen area clear of non-active windows and to reserve the central screen area for displaying windows with an active display status, so the user is able to select a window, maintain control by dragging the selected window to the screen edge and placing the

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window in a virtual or non-visible screen area, giving the extra benefit of controlling the windows working environment to enhance productivity by alleviating the confusion in working with multiple windows displayed in the central screen area (col. 2, lines 15-22 and col. 8, lines 39-44).

14. Claims 62-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeStefano in view of Ward, III et al. (US Pub 2002/0073424), hereinafter "Ward".

As claim 62, DeStefano does not clearly teach dimming the appearance of the windows associated with the applications other than said one application.

However, Ward teaches dimming the appearance of the windows associated with the applications other than said one application (par [0030]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by dimming the appearance of the windows associated with the applications other than said one application as taught by Ward in order to enhance the multiple window working environment to allow the user to focus on the active window alleviating the confusion and more productive when in working with multiple windows in the displayed ([0009]).

As claim 63, DeStefano further teaches one application is the application that is active when said command is issued (fig.20).

As claim 64, DeStefano further teaches in response to another user action during the time that said windows associated with said one application are repositioned, of: repositioning those windows associated with second application (col.7, lines 10-22) so that they appear in a respective area of the display without overlap (col.17, lines 38-52). And Bates teaches displaying the window in the foreground of the display (col. 16, lines 53-58). DeStefano does not clearly teach dimming the windows associated with said one application. However, Ward teaches dimming the windows associated with said one application (par [0030]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeStefano by dimming the windows associated with said one application as taught by Ward in order to enhance the multiple window working environment to allow the user to focus on the active window alleviating the confusion and more productive when in working with multiple windows in the displayed ([0009]).

(Note :) It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

Applicant's arguments with respect to claims 1-75 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

This is a continuation of applicant's earlier Application No. 10/689,687. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Inquires

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nicholas Augustine/
Examiner, Art Unit 2179
February 29, 2008

/Ba Huynh/

Primary Examiner, Art Unit 2179